

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 85-23

Introduced by Council President Hardwicke at the request of the County Executive

Legislative Day No. 85-12 Date May 7, 1985

AN ACT to add new Subsection (10) to Section 16-50, heading, Conflicts of Interest, and to repeal and re-enact with amendments, Section 16-52(c), heading, Lobbying Disclosure, of Article II, heading, Code of Ethics, of Chapter 16, heading, Personnel, all part of the Harford County Code, as amended; to provide employment restrictions on former employees with provisions for exemptions; and to provide for detailed annual reports from lobbyists.

By the Council, May 7, 1985

Introduced, read first time, ordered posted and public hearing scheduled

on: June 4, 1985

at: 6:15 P.M.

By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on June 4, 1985 and concluded on June 4, 1985.

Angela Markowski, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1 Section 1. Be It Enacted By The County Council Of Harford
2 County, Maryland, that new Subsection (10), be, and it is
3 hereby added to Section 16-50, heading, Conflicts of Interest,
4 and that Subsection (c) of Section 16.52, heading, Lobbying
5 Disclosure, be, and it is hereby repealed and re-enacted with
6 amendments, of the Harford County Code, as amended, all to read
7 as follows:

8 Section 16-50. Conflicts of Interest.

9 (a) Public officials and employees [who are subject to this
10 Article] shall not:

11 (1) In any manner whatsoever be interested in, or
12 receive any benefit from, the profits or emoluments of any
13 contract, job, work, or service for the County, except for
14 salary and wages established by law;

15 (2) Accept any gift, service or thing of value,
16 directly or indirectly, from any person, firm, or corporation
17 doing business with the County, nor shall the official or
18 employee receive, directly or indirectly, any part of any fee,
19 commission, or other compensation paid or payable by the County,
20 or by any person in connection with any dealings or proceedings
21 before any agency with the County government;

22 (3) Directly or indirectly, be the agent who procures
23 or receives any compensation in connection with the procurement
24 of any type of bonds for County officers, employees, persons or
25 firms doing business with the County;

26 (4) Solicit any gift or knowingly accept any gift,
27 directly or indirectly, from any person whom the official or
28 employee knows or has reason to know:

29 (i) is doing or seeking to do business of any
30 kind with a County agency;

31 (ii) is engaged in activities which are regulated
32 or controlled by a County agency;

1 (iii) has financial interests which may be
2 substantially and materially affected, in a manner
3 distinguishable from the public generally, by the performance or
4 nonperformance of an official duty; or

5 (iv) is a registered lobbyist.

6 (5) Participate on behalf of the County in any matter
7 which would, to their knowledge, have a direct financial impact,
8 as distinguished from the public generally, on them, their
9 spouse or dependent child, or a business entity with which they
10 are affiliated;

11 (6) Hold any outside employment relationship that would
12 impair their impartiality or independence of judgment;

13 (7) Represent any party, for a contingent fee, before
14 any County body;

15 (8) Use the prestige of their office for their own
16 benefit or that of another, except that letters of reference are
17 permitted; and

18 (9) Use confidential information acquired within their
19 official County position for their own benefit or for that of
20 another; AND

21 (10) WITHIN ONE (1) YEAR FOLLOWING THE TERMINATION OF
22 COUNTY SERVICE, ACT AS A COMPENSATED REPRESENTATIVE OF ANOTHER
23 IN CONNECTION WITH ANY SPECIFIC MATTER IN WHICH THE OFFICIAL OR
24 EMPLOYEE ACTIVELY PARTICIPATED WHILE IN COUNTY SERVICE. THE
25 BOARD OF ETHICS, AFTER A FORMAL HEARING ON A REQUEST FOR AN
26 EXEMPTION, MAY GRANT OR DENY AN EXEMPTION TO THIS SUBSECTION.
27 THE STANDARDS FOR THE EXEMPTIONS ARE: THE PUBLIC INTEREST WOULD
28 NOT BE COMPROMISED; AND THE INDIVIDUAL REQUESTING THE WAIVER
29 WOULD SUFFER DIRECT ECONOMIC HARDSHIP IF THE WAIVER WAS NOT
30 GRANTED.

1 Section 16.52. Lobbying Disclosure.

2 (a) Any person who engages in lobbying before the Harford
3 County Council with the intent to influence the Council in the
4 performance of their duties, and who receives Five Hundred
5 Dollars (\$500.00) or more in a calendar year as compensation for
6 the performance of the lobbying activities, or who incurs
7 expenses of Three Hundred Dollars (\$300.00) or more in a
8 calendar year, or expends Three Hundred Dollars (\$300.00) or
9 more in a calendar year on food, entertainment, or gifts in the
10 course of the lobbying shall file a registration statement with
11 the Board not later than January 15 of the calendar year or
12 within five (5) days after first engaging in lobbying
13 activities.

14 (1) Any person who engages in lobbying before any
15 public official other than members of the Harford County Council
16 or any County employee and who, during the calendar year, spends
17 in excess of Three Hundred Dollars (\$300.00) on food,
18 entertainment or other gifts for any such public official or
19 employee in connection with these activities shall file a
20 registration statement with the Board not later than January 15
21 of the calendar year or within five (5) days after engaging in
22 such lobbying activities.

23 (2) The Department of Law shall prepare a registration
24 statement and shall submit such statement to the Council for its
25 approval by appropriate resolution on or before the effective
26 date of this ordinance.

27 (b) The registration statement shall include complete
28 identification of the registrant and of any person on whose
29 behalf the registrant acts. It shall also identify the subject
30 matter on which the registrant proposes to make these
31 appearances and shall cover a defined registration period not to
32 exceed one calendar year.

1 (c) Registrants under this section shall file a report
2 within thirty (30) days after the end of any calendar year
3 during which they were registered, disclosing [their activities
4 for the previous calendar year] IN DETAIL, ALL OF THEIR
5 EXPENDITURES MADE IN CONNECTION WITH THEIR LOBBYING IN HARFORD
6 COUNTY. THE BOARD OF ETHICS SHALL ADOPT APPROPRIATE FORMS AND
7 INFORMATION REPORTS IN ORDER THAT FULL, DETAILED DISCLOSURE IS
8 ACCOMPLISHED.

9 (d) Registrations and reports filed pursuant to this
10 article shall be maintained by the [Board] COUNTY COUNCIL as a
11 public record and shall be available for public inspection and
12 copying.

13 Section 2. And Be It Further Enacted, that this Act shall take
14 effect sixty (60) calendar days from the date it becomes law.
15 EFFECTIVE: August 19, 1985

16
17 *The Secretary of the Council does hereby*
18 *certify that fifteen (15) copies of this Bill*
19 *are immediately available for distribution to*
20 *the public and the press.*

21 *Angela Macdonald*, Secretary
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BY THE COUNCIL

BILL NO. 85-23

Read the third time.

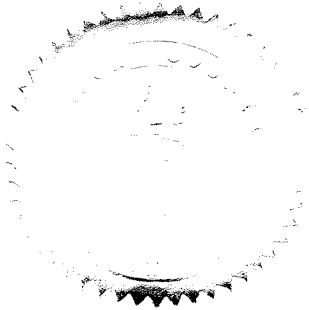
Passed LSD 85-17 (June 11, 1985)

Failed of Passage _____

By order

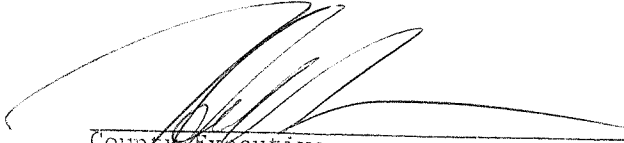
Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 12th day of June, 1985
at 3:00 o'clock P.M.

Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:


County ExecutiveDate 6-18-85

BY THE COUNCIL

This Bill (No. 85-23), having been approved by the Executive
and returned to the Council, becomes law on June 18, 1985.

Angela Markowski, Secretary

EFFECTIVE DATE: August 19, 1985